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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, ) No. CR 12-0483 EMC  
Plaintiff, )  
v. ) STIPULATION REQUESTING  
MANDY NATCHI YAGI and PETER ) CONTINUANCE OF TRIAL AND  
WONG, ) EXCLUSION OF TIME UNDER THE  
Defendant. ) SPEEDY TRIAL ACT, AND [PROPOSED]  
ORDER

The parties respectfully stipulate as follows:

1. Trial is currently set for May 6, 2013, with pretrial filings due beginning on April 2, 2013.

2. The parties participated in a settlement conference last week before the Honorable Laurel Beeler. The settlement conference proved unsuccessful. In the wake of the failed settlement conference, the United States intends to seek a superseding indictment in advance of trial.

3. In light of the timing of the above developments and their proximity to the currently scheduled trial date, the parties jointly believe there is good cause to continue the trial

date for a period of less than three months. Accordingly, after consultation with the Court's staff about the Court's schedule, the parties respectfully ask the Court to continue trial in this matter to July 22, 2013.

4. As noted above, the government plans to seek a superseding indictment. The superseding indictment will result in additional discovery being provided to the defense. Counsel for both defendants will require time to review the additional discovery and to investigate the additional claims contained in the anticipated new charging document. Accordingly, the parties jointly request that the Court exclude, in computing the time within which trial must commence pursuant to the Speedy Trial Act, 18 U.S.C. § 3161(c)(1), the period from March 22, 2013, through July 22, 2013. The parties agree that failing to grant the requested continuance would deny counsel for the defendants the reasonable time necessary for effective preparation, taking into account the exercise of due diligence, in this case.

## IT IS SO STIPULATED.

DATED: March 22, 2013

/s/  
**JENNIFER WIRSCHING**  
Attorney for Defendant Mandy Natchi Yagi

DATED: March 22, 2013

/s/  
DEAN JOHNSON  
Attorney for Defendant Peter Wong

DATED: March 22, 2013

/s/  
ANDREW P. CAPUTO  
Assistant United States Attorney

1                   **[PROPOSED] ORDER**

2                   Pursuant to stipulation and for good cause shown, trial in this matter is hereby continued  
3 to July 22, 2013. The pretrial conference is continued to July 9, 2013, at 2:30 p.m.

4                   The time from March 22, 2013, through July 22, 2013, is hereby excluded in computing  
5 the time within which trial must commence pursuant to the Speedy Trial Act, 18 U.S.C. §  
6 3161(c)(1). For the reasons specified in the parties' stipulation, the Court finds that exclusion of  
7 this time is necessary for the effective preparation of defendants' counsel and that the ends of  
8 justice served by granting this continuance and excluding this time from calculation outweigh  
9 the best interest of the public and the defendants in a speedy trial.

10                  IT IS SO ORDERED.

11                  DATED: March 25, 2013

